



CITY OF TUCSON COMMISSION ON DISABILITY ISSUES (CODI) Meeting Minutes

The meeting of the Tucson Commission on Disability Issues was called to order by Chair Cyndi Segroves on Wednesday, September 17, 2008, at 2:31 p.m., at Eastside City Hall Conference Room, 7575 E. Speedway Blvd., Tucson, AZ.

1. Roll Call

Commission Members	Representing	Present/Absent
Susan Zimmerman	Mayor	Present
Ray Figueroa	Ward 1	Absent
Timothy Shell	Ward 2	Present (Arrived at 2:37 p.m.)
Michael Pesce	Ward 3	Present
Vacancy	Ward 4	
Cyndi Segroves - Chair	Ward 5	Present
Robert Blizzard	Ward 6	Present
Willie Bond	Mayor/Council	Present
Jeffrey Handt	Mayor/Council	Present
Vacancy	Mayor/Council	
Jean Paul Jorquera	City Manager	Present
Anthony King	City Manager	Absent
Ken Rogers – Vice Chair	City Manager	Present
Staff Present	Representing	
Draigg Phillips	Recording Secretary, City Clerk's Office	

2. Approval of Minutes – May 21, 2008

It was moved by Commissioner Pesce, duly seconded, and passed by a voice vote of 8 to 0 (Commissioners, Figueroa, Shell, and King absent) to approve, with corrections, the May 21, 2008 minutes.

3. Staff Reports - Recommendation/Discussion/Action

- a. ADA Eligibility/Transportation – John Zukas was unable to attend the meeting, however a written Sun Tran and Van Tran customer service report was provided to the commissioners that also included ADA service reports.
- b. Sun Tran/Van Tran – Ralph Power noted that Sun Tran ridership had increased by nearly 20% during the previous two months. Staff had begun to analyze the routes and usage and was beginning to see some trends. He said most of this increase was noted during the peak periods of 6:00 a.m. to 7:00 a.m. and then from 1:00 p.m. to 5:00 p.m.

Mr. Power said in August there were sixteen (16) participants in the special needs Transit Ambassador program for forty-eight (48) hours of training. In July Sun Tran conducted five (5) community outreach presentations that reached three hundred and fifteen (315) consumers. In August forty-three (43) consumers participated in the Sun Tran Accessible Rider Training (START) program for a total of ninety (90) hours. He said that there was another session scheduled for September 18, 2008.

Mr. Power said in July there were thirty two thousand one hundred ninety three (32,193) customer service calls. He said he would have the updated August figures available at the next meeting.

Mr. Power said in July there were eight (8) ADA service reports. This was during a period when Sun Tran conducted approximately eighty four thousand (84,000) trips. However, he said their goal was to have no complaints. Two of the complaints were deemed reportable. One involved a driver being scared by a pit bull that later was discovered to be the passenger's service animal. The other involved denying the use of the van's lift to someone whom was not in a wheelchair.

Mr. Power said Van Tran had experienced similar dynamics on a smaller scale with a five point five percent increase (5.5%) in ridership during the same period. This was significant given that there had only been a two point two percent (2.2%) increase

during the 2007-2008 fiscal year. He said although demand was increasing and they were still having staffing problems, on-time performance had actually increased to a current high of ninety five percent (95%).

Mr. Power said that the current labor contract at Van Tran would expire at the end of September with a new contract to be in place by October 1, 2008. He asked the commissioners to give him a call directly if they needed clarification.

Mr. Power said Van Tran had received eight (8) compliments versus ten (10) chargeable complaints.

Chair Segroves said that she did not use Van Tran very often because she enjoyed having more flexibility. She said that often Van Tran could not pick her up at the time she requested and said she felt this impacted their on-time statistics.

Mr. Power said that under the ADA rules there was a “zero denial” policy. However, this allowed some flexibility. If a rider’s requested time was not available and Van Tran was able to schedule it within two hours of the requested time, it was still considered valid. He said they constantly monitored these occurrences and adjusted routes as needed, although it might take a month or so to show a trend.

Chair Segroves asked when was the absolute last pick up time for Van Tran during weekdays.

Mr. Power said that was determined by when the last Sun Tran bus was in a given area. He gave the example that if the last Sun Tran pick up in a given area was 10:00 p.m., then the last pick up for Van Tran would be 9:45 p.m.

Commissioner Blizzard said that the Van Tran drivers were more accommodating in practice.

Commissioner Blizzard asked the status of retrofitting the older vans with security systems.

Mr. Power said he did not know about the retrofitting. He said there were forty-two (42) new buses arriving and they would be cycling them into the fleet. At that point there would be over eighty (80) buses with cameras. He said this put them within one procurement order of having the entire fleet with cameras. He said they had also received complaints about the seat belts in the newer vans so they were in the process of replacing them all.

Chair Segroves asked about an earlier complaint made by a customer who said he was exempt from wearing a seat belt due to the location of his catheter.

Mr. Power said they had followed up on that and they had taken care of the situation. He said that John Zukas has found the legislation that allowed this if one had a doctor's wavier.

Commissioner Pesce asked about the status of the proposed rate increases.

Mr. Power said there was a Transit Task Force that was reviewing the need.

c. Parks & Recreation - Susan Jansen reported on the following:

- Summer therapeutic and inclusion programs
- Tucson Pops Orchestra would begin concerts in Reid Park
- The renaming of the Carol West Senior Addition at Udall Park would be on September 23, 2008
- The Palo Verde Dog Park expansion ribbon cutting would be on September 27, 2008
- The Tragedy of Hamlet would be performed at Himmel Park beginning September 25, 2008
- The 3rd Annual Milargo Event would be held at Jacobs Park on November 7, 2008
- The Family Festival would be held at Reid Park on November 15, 2008
- An American Indian Health and Heritage Fair would be held at Quince Douglas Center on November 22, 2008

- The Holiday Arts and Crafts Fair at Reid Park on November 29 and 30, 2008
- The Parks and Recreation Department would be hosting a session at the Building an Inclusive Tucson Conference on October 10, 2008

Chair Segroves asked about the power soccer program that was beginning September 27, 2008 at the Clements Center.

Ms. Jansen said she was not familiar with this program. The Parks and Recreation Department's therapeutic division was not able to sponsor any more programs such as the wheelchair basketball.

Chair Segroves asked which pools in the City were not equipped with lift systems.

Ms. Jansen said all City pools were accessible with lift systems and lifeguards trained to assist where needed.

Commissioner Pesce asked if the department's vacant positions were frozen.

Ms. Jansen said they were and she did not anticipate them to be filled this year or next. She said other organizations such as the University of Arizona were taking on some programs that Parks and Recreation could not.

Commissioner Pesce asked about the need for liability insurance when a group uses Parks and Recreation facilities without City sponsorship.

Ms. Jansen said if the City was not a sponsor, then the groups should get their own liability insurance.

- d. Equal Opportunity Programs – Alison Colter-Mack handed out copies of the City's Department of Justice (DoJ) Third Year Compliance Report. She said it reflected all the modifications the City was able to accomplish with the budget constraints.

Chair Segroves asked about the disputes in the report.

Ms. Colter-Mack explained that this was where the City conducted a self audit on items in the original DoJ findings and concluded that those items were in compliance, based on the DoJ's own parameters.

Chair Segroves asked if anyone regulated private businesses with regards to ADA compliance.

Ms. Colter-Mack said the only laws applicable to private businesses was Title 3 and the City did not have any enforcement authority in that regard. The Arizona Civil Rights Division had authority regarding the enforcement of Title 3, the ADA and the Arizona Disability Act (AzDA). Based on City Codes, the City only had authority when there was a case of discrimination based on disability when someone was refused service.

Ms. Colter-Mack discussed the ADA Amendments Act that was recently passed by the US Senate. The intent was to clarify and simplify ADA.

Commissioner Bond asked if cases that were currently in the pipeline would be judged under the old version of the law or the new version.

Ms. Colter-Mack said cases in the pipeline would be looked at under the old law, but the new law would apply depending on what it specifically was about. Cases that had been closed would not be reopened to have the new laws applied to them.

Ms. Colter-Mack handed out a job announcement from a fellow student in her masters program who worked for a solar company. They were looking to hire some people from the disabled community.

Ms. Colter-Mack clarified that her office had hired an ADA compliance specialist whose focus would be to conduct the fourth year self audit.

Ms. Colter-Mack said she would be attending a conference in October that would focus on the changes to the ADA and laws effecting housing, employment, public accommodations and state and local government facilities. She said another topic that would be discussed would deal with persons effected with genetic disabilities.

Chair Segroves asked what progress had been made to disaster preparedness programs that effected the disabled.

Ms. Colter-Mack said nothing new had occurred but future meetings were being planned. She said her office had already established their operating procedures.

Commissioner Pesce asked if the ADA report that had been given to the Mayor and Council would now be sent to the DoJ.

Ms. Colter-Mack said it went to the DoJ first.

Commissioner Pesce asked if they had heard back from DoJ.

Ms. Colter-Mack said no they had not and that in fact they had yet to hear back regarding the first year report, she assured the Commission that she would report to them when she did hear back from DoJ.

4. Hiring panel for new Tucson Fire Chief – Recommendation/Discussion/Action

Chair Segroves said she had been asked to serve on a panel to review the qualifications of candidates for the new Tucson Fire Chief. She asked the Commission members for input regarding questions they would like to have the candidates answer. She said she would be compiling a list to give to the panel facilitator by the following Monday.

Commissioner Blizzard said a question might be how would emergency responders deal with someone in a powered mobility device. He said he would like to know how they would secure the

device and transport it to the appropriate place after an accident, such as the individual's home or the hospital.

Commissioner Blizzard asked if EEO was involved in the process.

Ms. Colter-Mack said Liana Perez was the facilitator.

Chair Segroves said if anyone else had any other suggestions they could email her.

5. Call to the audience

No one spoke.

6. Break - Recessed at 3:21 p.m. and reconvened at 3:30 p.m.

Chair Segroves announced that all members were present.

7. Chairperson's Summary of Current Events - Informational Only

Chair Segroves said that through her work she was going to send an email to her contacts regarding events in Tucson involving the disabled community. She also passed around other handouts she had gathered.

She said she and several others had met recently at the Disability Resource Center to develop recommendations toward making Tucson more inclusive. This would be brought before Pima County officials since there was no County-level commission.

She said former Commission Chair George McFerron would be at the October meeting to introduce Connie Brown who would be giving a presentation.

8. Commission Member's Summary of Current Events – Informational Only

Commissioner Handt said the Uptown Optimists Oktoberfest would be held at Hi Corbett Field.

Commissioner Zimmerman said she and others were putting together a guest editorial in the Arizona Daily Star regarding Attitudinal Barriers to Disabilities.

Commissioner Blizzard thanked the Commission for the get well card they had sent, although he had never received it. He said he had recently met with Council Member Trasoff, his appointer, and she had requested time before the Commission to share her views on how she could help them with their goals.

Vice Chair Rogers said the Community Partnership of Southern Arizona (CPSA) 9th Annual Community Mental Health Arts Show would be held beginning September 30, 2008. He gave invitations to the Commissioners.

Commissioner Pesce gave an update regarding the Building an Inclusive Tucson conference. Funding was still coming in along with registration forms. He said there was sufficient money in the account to pay for the conference and other expenses such as printing the programs would be covered by registration fees and other pending sources. He said although Representatives Giffords and Grijalva would not be able to attend, they were sending staff in their place.

When asked Commissioner Pesce said there would not be any confirmation sent to those who register via mail, but there would be a check in table the morning of the conference. However, letters would be sent to the vendors acknowledging receipt of their registration.

Commissioner Bond suggested that registrants should be contacted and Commissioner Zimmerman said she would do this.

Commissioner Pesce said the maximum number of participants was capped at two hundred and seventy (270). The hotel needed to know how many were registered by October 3, 2008, making that the de facto deadline for registration.

Commissioner Zimmerman asked that she be contacted if someone wanted to register after that date and she would see what could be done to accommodate them.

Commissioner Pesce said that Jim Click had contributed two thousand five hundred dollars (\$2,500) and Direct had contributed two thousand dollars (\$2,000) to the conference.

Commissioner Bond suggested a possible golf tournament to raise funds for next year's conference.

Commissioner Jorquera said he had recently gone on a trip to Mazatlan, Mexico with a group who used wheelchairs. He said it was interesting to see the cultural differences surrounding mobility. He said there would be a disability conference in Nogales in November. He reported that the returning disabled veteran's project at the University of Arizona was going well. He said a disability studies certificate was being developed.

Commissioner Shell said he was interested in serving on the Transportation Subcommittee.

9. Sub-committee Reports – Informational Only

- a. Housing – No report given.
- b. Public Relations/Education – Commissioner Pesce said he had worked with the Arizona Daily Star in an effort to have stories written about October being Disability Awareness Month.
- c. Services/Programs/Activities/Architectural Barriers (SPAA) – Commissioner Handt said he wanted to step away as Chair of the Subcommittee for the time being.
- d. Transportation – Commissioner Blizzard said they had recently talked about the implementation of Sun Tran's new SmartCard and its impact on the disabled community. Discussion was also held regarding expanded routes. He said he had met with Transportation Director James Glock regarding the Transit Task Force.
- e. Employment – No report given.

- f. Legislation – Vice Chair Rogers suggested inviting State Representative Linda Lopez to give a presentation at a future subcommittee meeting rather than to the full commission.

10. Staffing Subcommittees – Recommendation/Discussion/Action

Discussion was held about who would staff the subcommittees. The following was the proposed staffing:

- Housing –
- Public Relations/Education – Commissioners Pesce, Bond, Zimmerman, and Vice Chair Rogers
- Services/Programs/Activities/Architectural Barriers (SPAA) – Commissioners Handt, Jorquera
- Transportation – Commissioners Blizzard, Handt, King, Shell and Chair Segroves
- Employment – Commissioners Bond, Shell, and Vice Chair Rogers
- Legislation – Commissioners Jorquera and Chair Segroves

Commissioner Pesce said that one of the subcommittees needed to work on compiling a referral list of services related to the disabled community.

Chair Segroves said she felt that SPAA was the appropriate subcommittee.

Vice Chair Rogers said CPSA was in the process of compiling such a list of resources centered on children and adolescents.

Commissioner Bond asked if this was something that the Pima County OneStop Career Center could be involved in.

Commissioner Jorquera suggested contacting the United Way to tap into their resources.

11. Moving Meeting Location – Recommendation/Discussion/Action

Discussion was held regarding other possible locations for the full commission meetings.

Commissioner Shell left at 4:30 p.m.

It was moved by Vice Chair Rogers, duly seconded, and passed by a voice vote of 8 to 0 (Commissioners, Figueroa, Shell, and King absent) to move the full commission meetings to the Ward 6 offices, pending availability.

12. Staffing CODI table at October Conference – Recommendation/Discussion/Action

Discussion was held regarding staffing the CODI table at the Building and Inclusive Tucson Conference. Commissioner Zimmerman volunteered. Chair Segroves said she would be able to be at the table when she was not presenting or staffing her own table.

Commissioner Zimmerman asked if it would be all right to show her Disability Attitudes 101 DVD at the CODI table.

It was moved by Commissioner Pesce, duly seconded, and passed by a voice vote of 8 to 0 (Commissioners, Figueroa, Shell, and King absent) to allow Commissioner Zimmerman to show her Disability Attitudes 101 DVD at the CODI table.

Commissioner Bond left at 4:45 p.m.

13. CODI posters on Van Tran and Sun Tran buses - Recommendation/Discussion/Action

Discussion was held regarding issues surrounding the verbiage on the CODI posters. The way they were written caused a lot of confusion. It was decided that the posters should be removed and possibly re-word them at a future date. Commissioner Pesce said the Public Relations/Education Subcommittee would take responsibility for this matter.

It was moved by Commissioner Pesce, duly seconded, and passed by a voice vote of 7 to 0 (Commissioners, Figueroa, Shell, King, and Bond absent) to have the CODI posters removed from Sun Tran and Van Tran buses and the bus stops.

**14. Budget Report and Expenditures –
Recommendation/Discussion/Action**

Draigg Phillips reported that the budget for CODI was the same as it was last year.

15. Future Agenda Items

The following items were suggested for future meetings:

- Council Member Trasoff would attend a future meeting
- Ex-Officio members
- Additions to the City's CODI web site
- State Representative Linda Lopez to come to a Legislative Subcommittee meeting
- Recognition of former Commission Chair McFerron
- Presentation by Connie Brown
- Summary of the Building an Inclusive Tucson Conference

16. Adjournment – Meeting was adjourned at 4:58 p.m.